



07-21-06

7374 AFE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Mark G. O'Donell

Serial No.: 10/800,796

Group No.: 3754

Filed: March 15, 2004

Examiner: Brinson, Patrick F.

For: ROPE AND WEBBING PROTECTOR

Mail Stop Appeal Brief
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed on April 25, 2006 finally rejecting claims 37-53.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

 other than a small entity

 X small entity

Verified statement

 attached

 X already filed on

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 1.17(b) the fee for filing the Notice of Appeal is:

 X small entity \$250.00

 other than a small entity \$500.00

Notice of Appeal fee due \$250.00
07/24/2006 BABRAHA1 00000051 10000796
01 FC:2401 250.00 OP

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on July 20, 2006 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV901971925US addressed to the: Commissioner of Patents, P.O. Box 1450 Alexandria, VA 22313-1450

Meghan H. Carr

3. EXTENSION OF TERM

NOTE: The time periods set forth in 37 CFR 1.191 are subject to the provision of § 1.136 for patent applications 37 CFR 1.191(d). (But see 37 CFR 1.645 for extension of time in interference proceedings and 37 CFR 1.550(c) for extension of time in reexamination proceedings).
(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

(a) _____ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
— one month	\$120.00	\$60.00
— two months	\$450.00	\$225.00
— three months	\$1,020.00	\$510.00
— four months	\$1,590.00	\$795.00
		Fee \$

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

— An extension for _____ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.
Extension fee due with this request \$ _____

or

(b) X Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$250.00

Extension fee (if any) \$ _____

TOTAL FEE DUE \$ 250.00

5. FEE PAYMENT

X Attached is a check in the sum of \$ 250.00.

— Charge Account No. _____ the sum of \$ _____.

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

X If any additional extension and/or fee is required charge Account No. 19-0079.

AND/OR

X If any additional fee for claims is required, charge Account No. 19-0079.

SIGNATURE OF ATTORNEY

Reg. No.: 35,192



William E. Hilton

Tel. No.: (617) 426-9180
Extension: 111

Gauthier & Connors

225 Franklin Street, Suite 2300

Boston, Massachusetts 02110